

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

JUN 19 2013

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

Karen E. Warkentien, Agent for Lo-Chlor LC c/o Lewis & Harrison, LLC 122 C Street, N.W., Suite 505 Washington, D.C. 20001

Subject:

Lo-Chlor Pool Algicide

EPA Registration No.: 58412-1 Notification Date: May 17, 2013 EPA Receipt Date: May 20, 2013

Dear Ms. Warkentien,

This letter acknowledges receipt of your notification submitted in accordance with the provisions of PR Notice 98-10 under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) section 3(c) 9.

Proposed Notification

Adding additional claims to the label

- 90-day algaecide
- Keep algae at bay [the Lo-Chlor Way] [with [Lo-Chlor] [Product Name]

General Comments

Based on a review of the submitted materials, to add additional claims to the label per PR Notice 98-10 is acceptable and apart of the record on file for future reference.

Should you have any questions or comments concerning this letter, you may contact me by telephone at (703) 308-6416 or by e-mail at campbell.jacqueline@epa.gov or Lorena Rivas by telephone at (703) 305-5027 or by e-mail at rivas.lorena@epa.gov. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,

Jacqueline Campbell Product Manager (34)

Regulatory Management Branch II Antimicrobials Division (7510P)

Please	read	instructions	on	reverse	before	сот
			-			
		-				

United States

Registration
Amendmen

B No. 2070-0060. Approvel expires 2-28-95

Distration OPP Identifier Number

Environmental Protection Agency Washington, DC 20460			✓	Amendme Other	ent					
······································	· · · · · · · · · · · · · · · · ·	Application	for Pe	esticide -	Section	i				
1. Company/Product Num 58412-1	ber			2. EPA Produc Jacqueline	•	McFarlane	1 6 33	posed Class	sification Restricte	
4. Company/Product (Nar Lo-Chlor Pool Algici			1	РМ# 34				L.		
Lo-Chlor LC 5841 Powerline Ro Fort Lauderdale FL		del <u> </u>	(oduct is simi				and labeling	
			Section	on - II			0	0 0 0	c	<u> </u>
Amendment - Exp Resubmission in r Notification - Expl	esponse to Agency letter	dated		Ager "Me	printed label ncy letter date Too" Applica r - Explain be	ition.	6 6 6 6 6 6 6 6 6 6		•	
*******	tional page(s) if necessar	ication of Label C	hanges pe	er PR Notice 9					*****	
labeling or the confidentia EPA. I further understand	ent with the provisions of F I statement of formula of th that if this notification is no ect to enforcement action a	nis product. I unde ot consistent with	erstand that the terms	it it is a violation of PR Notice 9	on of 18 U.S.C 98-10 and 40 (. Sec. 1001 to w	illfully m	ake any fals	e statement	to
			Section	n - III						
1. Material This Product	Will Be Packaged In:									
Child-Resistant Packaging Yes No Certification must be submitted	Unit Packaging Yes Volume Vo	No. per container		No	o. per ntainer	√ P	ntainer Metal Mastic Glass Paper Other (Sp	pecifý)		
3. Location of Net Conter	nts Information Container	4. Size(s) Retail	Containe 5 gal, 5-5		5. Lo	cation of Label on label	Direction	ns		
6. Manner in Which Labe	is Affixed to Product	Lithograp Paper glo Stenciled	ph ued 3		Other				·	
	<u> </u>		Section	n - IV				0 0 0 0 	·	
1. Contact Point (Comple	ete items directly below f	or identification	of individu	al to be cont	acted, if nec	essary, to proce	ss this	application.	ļ	
Name Karen E. Warkentien, L	ewis & Harrison LLC		itie Consultan	t to Lo-Chlor	·LC	^c 20)2/̈́39̈́́3-3	No. (Includ 903 ို့င်2 ္ ိ	e Area Code)
	atements I have made on any knowlinglly false or ole law.		attachm				eta:	6. Daté App Rescived (Sta	mped)	
2. Signature	HE STATE OF THE ST	·	Title Consultant	to Lo-Chlor Lo	С			(((((((((((((((((((C (
4. Typed Name Karen E. Warkentien		5.	Date	14 May	2013					

LEWIS & HARRISON

122 C Street, N.W., Suite 505 Washington, D.C. 20001

telephone 202.393.3903 fax 202.393.3906

Consultants in Government Affairs 14 May 2013

Via Hand Delivery

Ms. Jacqueline Campbell-McFarlane Product Manager 34 Regulatory Management Branch II Antimicrobials Division (7510P) One Potomac Yard (South Building) 2777 S. Crystal Drive Arlington, VA 22202

SUBJECT:

Lo-Chlor Pool Algicide, EPA Reg. No. 58412-1

Application for Pesticide Notification

Additional Claims

Dear Ms. Campbell-McFarlane:

On behalf of our client, Lo-Chlor LC (Lo-Chlor), Lewis & Harrison, LLC, submits herewith the following documents in support of the PRN 98-10 Notification for Lo-Chlor Pool Algicide, EPA Reg. No. 58412-1:

Volume I: Administrative Materials

- Application for Pesticide Notification (EPA Form 8570-1)
- Draft label (two copies, one with highlighted changes)

This submission is made pursuant to PR Notice 98-10.

Notification of Label Change per PR Notice 98-10

This notification is consistent with the guidance in PR Notice 98-10 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula for this product. I understand that it is a violation of 18 USC § 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with the requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

The following changes have been made:

- New, non-public health claim
 - o "90-Day Algaecide"
- Revised claim
 - "Keep algae at bay [the Lo-Chlor Way] [with [Lo-Chlor] [Product Name]]"

This submission is NOT subject to processing under the Pesticide Registration Improvement Act (PRIA) and should be categorized as a notification.

Ms. Jacqueline Campbell-Mo. arlane, PM #34 Page 2 of 2

Should you have any questions concerning this submission, please contact me by phone at (202) 393-3903 x22 or via email at kwarkentien@lewisharrison.com.

Sincerely,

LEWIS & HARRISON, LLC Consultant to Lo-Chlor LC

Karen E. Warkentien

Enclosures

cc: Dee Stivers, Lo-Chlor

LO-CHLOR POOL ALGICIDE

KEEP OUT OF REACH OF CHILDREN

CAUTION

{Optional Text for Booklet Labels: to be placed in corner of panel on topolises [Peel here for [Precautionary] [and] [First Aid] information]

[Optional statements; may not appear on all commercial labels]

- Use against blue-green, black, and mustard algae
- Single treatment lasts 3 months
- 90-day algaecide.
- · Non-staining formula
- Treats #### gallons
- Lasts 3 months
- To control algae in your swimming pool, simply add [brand] every three months.
- Your pool water will sparkle like never before.
- Keep algae at bay [the Lo-Chlor Way] [with [Lo-Chlor] [Product Name]]
- Free delivery.
- Next day delivery.
- Free delivery next day.
- Made in [[the] [USA] [United States [of America]]] [other country].

JUN 19 2013

NOTIFICATION 13 Dete Reviewed 9: 1200

JS (or other country's flag) graphic, as appropriate to match country of origin.

[MANUFACTURED [BY][FOR]]: LO-CHLOR L.C. [LO-CHLOR Logo Graphic]

5841 Powerline Rd., Suite 202 Ft. Lauderdale, FL 33309-2074 www.lo-chlor.com [OR]

[Manufactured for/Distributed by/Sold by/Packaged by:]
[Distributor Name and Address]

EPA Reg. No. 58412-1 EPA Est. No. 58412-FL-001

NET CONTENTS:

{May appear on label or on immediate container} [Lot] [Batch] No. 5

Revision Date: 2013-05-14

CCGC

ccccc

00000

.

DIRECTIONS FOR USE:

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling.

DOSAGE RATES:

EVERY THREE MONTHS: 16 fl. oz. [brand] [this product] per 10,000 gallons pool water (or 500 mL per 40,000 L) will prevent algae growth in all pool types.

SEVERE ALGAE TREATMENT: 32 fl. oz. [brand] [this product] per 10,000 gallons pool water (or 1 [Liter] [L] per 40,000 L).

GENERAL DIRECTIONS:

- 1. Maintain pool water in the pH range 7.2 to 7.8. Adjust pH to 7.2 for severe algae.
- 2. Ensure that filtration system is working properly and that filtration cycle is adequate.
- 3. A regular brushing program will assist in the removal of stubborn algae.
- 4. Calculate the volume of [brand] [this product] required for your pool.
- 5. Add the product directly to the pool, distributing over as wide an area as possible.
- 6. While [brand] [this product] controls algae, it is important that adequate levels of sanitizer (chlorine) be maintained to control bacterial growth.

PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed. Causes moderate eye irritation. Avoid contact with eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, or using tobacco. Remove contaminated clothing and wash clothing before reuse.

FIRST AID			
IF SWALLOWED	 Call poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not give anything by mouth to an unconscious person. Do not induce vomiting unless told to do so by the poison control center or doctor. 		
IF IN EYES	 Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes. Then continue rinsing eye. Call a poison control center or doctor for treatment advice. 		
IF ON SKIN OR CLOTHING	 Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor immediately for treatment advice. 		
IF INHALED	 Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice. 		

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. [You may also contact [1-800-424-9300] [other number/contact] for emergency medical treatment information.]

ENVIRONMENTAL HAZARDS

This pesticide is toxic to fish and aquatic invertebrates and may contaminate water through runoff. Do not contaminate water when disposing of equipment wash waters or rinsate.

Revision Date: 2013-05-14

c c c c c c

7/7

(Household/Residential Containers)

STORAGE AND DISPOSAL

Store in original container, tightly closed in a cool, dry place out of the reach of children and persons unfamiliar with its use. Do not store in direct sunlight. Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. If not, discard in trash.

{Optional alternative "Container Disposal" statements}

(For nonrefillable container)

Keep this product in its tightly closed container when not in use. Nonrefillable container. Do not reuse or refill this container. Rinse empty container thoroughly with water prior to disposal. Offer for recycling if available. Do not contaminate food or feed by storage or disposal or cleaning of equipment.

(For refillable container)

Keep this product in its tightly closed container when not in use. Do not contaminate food of feed by castorage or disposal or cleaning of equipment. Refillable container. Refill this container with Copper Triethanolamine Complex only. Do not use this container for any other purpose. Rinse empty container thoroughly with water prior to disposal.

(Commercial Containers)

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage and disposal.

(All Containers)

Pesticide Storage: Store in original container, tightly closed in a cool, dry place out of reach of children and persons unfamiliar with its use. Do not store in direct sunlight.

Pesticide Disposal: Wastes resulting from use of this product must be disposed of on site or at an approved waste disposal facility.

Container Disposal: Nonrefillable container. Do not reuse or refill this container. Triple rinse or equivalent. Offer for recycling if available. If not, discard in sanitary landfill.

NOTICE

Neither LO-CHLOR L.C. [or distributor name], nor the seller of this product can accept any responsibility where the product is not used according to directions and for the manner in which it was intended.

(((()))

((()))

((()))

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

(())

Revision Date: 2013-05-14